

HB 424 -- PUBLIC RECORDS

SPONSOR: Cornejo

COMMITTEE ACTION: Voted "Do Pass" by the Standing Committee on General Laws by a vote of 13 to 0.

This bill specifies that reasonable notice, with regard to the Missouri Sunshine Law, includes making available copies of a notice to any member of the public concurrent with the notice being made available to the members of the particular governmental body and posting the notice on a bulletin board or other prominent place which is easily accessible to the public and clearly designated for that purpose at the principal office of the body holding the meeting, or if no such office exists at the building in which the meeting is to be held.

No action may be taken by a public body without a vote, either by roll call or by voice vote.

The name of the individual, corporation, or other business entity and the amount of any public funding provided to that individual, corporation, or other business entity by the public institution of higher education is deemed as records that are open for public inspection.

Members of a public governmental body, their attorneys and staff assistants, and any other person necessary to provide information are the only individuals permitted to attend a closed meeting.

Whenever a member of a public governmental body transmits a message relating to public business by mobile communication device, that member must also concurrently transmit that message in the same format to either the member's public office computer or the custodian of records.

There is a presumption in any legal proceeding that a meeting, records, or vote is open to the public and the burden is on the governmental body or a member of the public governmental body to prove that such meeting, records, or vote may be closed to the public.

A public governmental body that maintains its records in an electronic format must make information available in a format that is easily accessed and managed by programs commonly available to the public.

This bill is similar to HB 1993 (2016).

PROPONENTS: Supporters say that this bill would make governing bodies more transparent. This bill would require any decision made by a public body to be decided by a vote.

Testifying for the bill were Representative Cornejo; the Missouri Broadcasters Association; and the Missouri Press Association.

OPPONENTS: There was no opposition voiced to the committee.

OTHERS: Others testifying on the bill say it could have the unintended consequence of a chilling speech. The language of the bill could end up requiring public bodies to record information during a closed session which is not currently required by law.

Testifying on the bill was the School Administrators Coalition.